



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

May 14, 2010

Mr. Michel E. Nelson, Senior Vice President  
Midwestern Gas Transmission  
C/O Oneok Partners  
100 West Fifth Street  
Tulsa, Oklahoma 73104

Dear Mr. Nelson:

Re: NPDES Permit No. ING670057  
Midwestern Gas Transmission  
Intersection of County Roads 900 N. and 200 E.  
Chrisney, Indiana  
Spencer County

This agency has reviewed your request dated January 26, 2010 for voidance of the above-referenced permit. According to your letter the permit was to cover a one time discharge from hydrostatic testing that was completed in January. Our office concurs that in this case this NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. ING670057, issued December 24, 2008, is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Avenue, Room 501  
Indianapolis, IN 46204

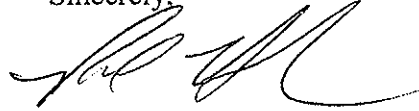
You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

Mr. Michel E. Nelson

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If you have any questions regarding this matter, please contact Ms. Sheri L. Jordan of my staff at 317/ 232-8703.

Sincerely,

A handwritten signature in black ink, appearing to read 'PH', with a long horizontal flourish extending to the right.

Paul Higginbotham, Chief  
Permits Branch  
Office of Water Quality

Slj/

cc: Spencer County Health Department

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 5D -GP

DATE OF NOTICE: May 14, 2010

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

**TERMINATION**

**MIDWESTERN GAS TRANSMISSION, 231 RELOCATION PROJ.**, Permit No. ING670057, SPENCER COUNTY, Chrisney, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Sheri Jordan at 317/232-8703.

**PROCEDURES TO APPEAL**

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

**Appeal Procedure:** Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

**Timely filing:** The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:  
**Phone: 317/232-8591.**

Environmental Law Judge  
Office of Environmental Adjudication  
IGC – North Building- Rm 501  
100 N. Senate Avenue  
Indianapolis IN 46204

**Stay Time frame:** If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

**Hearing Notification:** Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



Delivery by email and  
Federal Express US Airbill 8696 6707 4930

January 26, 2010

Indiana Department of Environmental Management  
Office of Water Quality Compliance Branch  
Attention: Debra Dubenetzky, Chief  
100 N. Senate Avenue  
N-1255 MC 65-42  
Indianapolis, Indiana 46204

RE: NOTICE OF TERMINATION  
Midwestern Gas Transmission, NPDES Permit # ING670057  
Facility - Midwestern Gas Transmission  
Location - Chrisney, IN

Dear Ms. Dubenetzky:

Midwestern Gas Transmission's NPDES Permit # ING670057 was for a one-time discharge of water to hydrostatically pressure test a segment of its pipeline. The test was completed on January 13, 2009 and the permit is no longer needed. The purpose of this letter is to provide a notice that the permit needs to be terminated effective immediately.

If you have any questions, please let me know.

Sincerely,

Loretta M. Earnest  
Environmental Manager

ec: NonAir/Interstate Construction Projects/2008 Projects/MGT Hwy 231 Pipe Replace/012610 IDEM Hydro Notice of Termination

